

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NELLA MANKO,

Plaintiff,

-against-

LENOX HILL HOSPITAL, ET AL.,

Defendants.

23-CV-2344 (LTS)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

LAURA TAYLOR SWAIN, Chief United States District Judge:

On July 11, 2013, Plaintiff was barred from filing any new action *in forma pauperis* (IFP) without first obtaining from the court leave to file. *See Manko v. Schlesinger*, ECF 1:12-CV-9059, 11 (S.D.N.Y. July 11, 2013). Plaintiff files this new *pro se* action, seeks IFP status, and has not sought leave from the court.¹ The Court therefore dismisses the action without prejudice for Plaintiff's failure to comply with the July 11, 2013, order.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

¹ Although Plaintiff labeled the complaint, "Pro Se Filing – New Case – Fee Paid," she submitted the complaint without the \$402.00 in filing fees and without an application to proceed IFP. On March 30, 2023, the court received Plaintiff's IFP application.

The Clerk of Court is directed to enter judgment in this action.

SO ORDERED.

Dated: March 31, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge